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1 UNITED STATES DISTRICT COURT
2 DISTRICT OF MASSACHUSETTS

3 -----X
4 SHAWN DRUMGOLD,
5 Plaintiff

6 V. Case No. 04-11193NG

7
8 TIMOTHY CALLAHAN, FRANCIS
9 M. ROACHE, PAUL MURPHY,
10 RICHARD WALSH, and THE
11 CITY OF BOSTON,
12 Defendants
13 -----X

14 DEPOSITION OF TRACIE PEAKS, a
15 witness called to testify by and on behalf of
16 the Defendants, pursuant to the applicable
17 rules of the Federal Rules of Civil
18 Procedure, before M. ELAINE GANSKA, a
19 Stenographic Reporter and Notary Public in
20 and for the Commonwealth of Massachusetts, at
21 the offices of Bonner Kiernan Trebach &
22 Crociciata, Attorneys at Law, One Liberty
23 Square, Boston, Massachusetts, on Friday,
24 April 28, 2006, commencing at 10:17 a.m.

25
26 FEDERAL COURT REPORTERS
27 781-585-6741 978-535-8333

00058

1 referring to?

2 A. Michelle.

3 Q. Okay. All right. What contact did you have

4 with the Roiston family after the murder of

5 Tiffany Moore?

6 A. Like I said, I just retreated. I didn't want

7 to deal with anybody. I -- you know, I

8 probably saw Rana maybe once or twice, three

9 times in that period of time, and then that

10 was it. It was -- you know, it didn't go on

11 after that.

12 Q. Okay. When you saw Rana, when was this in

13 relationship to the trial?

14 A. Oh, I don't -- I don't know. I can't

15 remember.

16 Q. Did you have contact with Rana Roiston and

17 Michelle Roiston prior to the trial of Shawn

18 Drumgold and Terrance Taylor?

19 A. I mean, yeah, it was like, you know, I saw --

20 like one or two, three times. You know, I

21 don't remember if it was before or after,

22 during. I can't remember the time.

23 Q. Okay. Did they talk to you about your

24 participation in the trial?

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1 A. No.

2 Q. Did they ever talk to you about Shawn

3 Drumgold?

4 A. No.

5 Q. What was the substance of your conversations

6 when you would see Michelle and Rana Roiston?

7 A. Me and Rana used to smoke weed. We would go

8 in my backyard, and that's what we'd do. It

9 wasn't like -- you know, we never went to the

10 movies; we never went skating. That's all we

11 did, little neighborhood kids experimenting.

12 That's what it was.

13 Q. All right. And did you smoke weed with Rana

14 after the murder of Tiffany Moore?

15 A. Probably.

16 Q. Okay, and it would be outside in your

17 backyard.

18 Any other locations?

19 A. No, not really.

20 Q. Okay. Would you go over her house?

21 A. I went over there like once or twice.

22 Q. Okay. And this was after the murder of

23 Tiffany Moore that you'd go over to Rana

24 Roiston's house above the Humboldt Superette?

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1 A. I think maybe once --

2 Q. Okay.

3 A. -- to wait for her.

4 Q. All right. And how long were you over there?

5 A. Not long.

6 Q. All right. And who was present when you were

7 waiting for her?

8 A. I don't know if anybody was even there.

9 Q. All right. Was her father, Noah, there?

10 A. I don't know.

11 Q. Did you know her father?

12 A. No.

13 Q. Okay. Did you know who he was?

14 A. Yes.

15 Q. Okay. Did you ever have any problems with

16 him?

17 A. No.

18 Q. Okay. So he was someone you didn't have any

19 problems speaking to or --

20 MS. SCAPICCHIO: Objection.

21 Q. -- talking to?

22 You can answer.

23 A. Well he was an older man, so I wouldn't have

24 spoken to him or had a conversation with him.